

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**CIVIL CASE NO. 3:08cv576**

**PRECISION LINKS INCORPORATED, )**

**Plaintiff, )**

**vs. )**

**USA PRODUCTS GROUP, INC. and )**

**HOME DEPOT U.S.A., INC., )**

**Defendants. )**

**ORDER**

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**THIS MATTER** is before the Court on the Defendants' Motion to Exceed Page Limitations [Doc. 35].

The Defendants seek leave of Court to exceed the page limitations set forth in the Pretrial Order and Case Management Plan [Doc. 24], entered in this case on May 5, 2009. Specifically, the Defendants request that they be allowed to file a forty-page brief in opposition to the Plaintiff's Motion for Preliminary Injunction [Doc. 25].

The Pretrial Order and Case Management Plan provides, in pertinent part, as follows:

Every motion shall include, or be accompanied by, a brief written statement of the facts, a statement of the law, including citations of authority and the grounds on which the motion is based. **No brief may exceed twenty-five (25) pages without Court approval**, unless a different maximum length is specified by the Court. **Briefs must be double spaced and in at least fourteen (14) point type.** Motions not in compliance with this order are subject to summary denial.

[Doc. 24 at 13] (emphasis added).

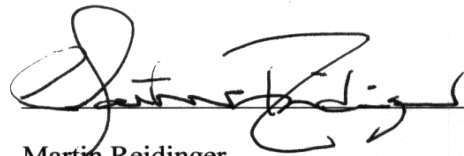
In considering the Defendants' Motion, the Court has reviewed the Plaintiff's Motion for Preliminary Injunction and Memorandum of Law [Doc. 25]. Although the Plaintiff's Motion was filed after the entry of the Pretrial Order and Case Management Plan, it is not in compliance with the 14 point type requirement. As such, the Plaintiff's combined Motion and Memorandum of Law, which is 23 pages in length, is necessarily in violation of the 25-page limitation as well.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Plaintiff's Motion for Preliminary Injunction and Memorandum of Law [Doc. 25] is **STRICKEN**, and the Plaintiff is **DIRECTED** to file a motion and supporting brief in conformity with the type requirement and page limitation set forth in Section IV. C. of the Pretrial Order and Case Management Plan [Doc. 24] on or before **June 22, 2009**.

**IT IS FURTHER ORDERED** that the deadline for the filing of the Defendants' Response to the Plaintiff's Motion for Preliminary Injunction and Memorandum of Law is **EXTENDED** to on or before **June 29, 2009**.

**IT IS FURTHER ORDERED** that the Defendants' Motion to Exceed Page Limitations [Doc. 35] is **DENIED**.

Signed: June 15, 2009

  
Martin Reidinger  
United States District Judge

